



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: THOMAS et al.

Attorney Docket No.: IPVMAP01

Application No.: 10/822,218

Examiner: Unassigned

Filed: April 12, 2004

Group: 2681

Title: EYEGASSES FOR WIRELESS  
COMMUNICATIONS

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on January 6, 2006 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed:

Patricia Tate

**INFORMATION DISCLOSURE STATEMENT  
37 CFR §§1.56 AND 1.97(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The references listed in the attached PTO Form 1449, copies of which are attached, may be material to examination of the above-identified patent application. Applicants submit these references in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make these references of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

This Information Disclosure Statement is: (i) filed within three (3) months of the filing date of the above-referenced application, (ii) believed to be filed before the mailing date of a first Office Action on the merits, or (iii) believed to be filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under §1.114.

Accordingly, it is believed that no fees are due in connection with the filing of this Information Disclosure Statement. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 500388 (Order No. RLC1G000).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. Douglass Thomas', written in a cursive style.

C. Douglass Thomas  
Registration No. 32,947

5150 El Camino Real,  
Building A, Ste. 22  
Los Altos, CA 94022

## Form 1449 (Modified)

Information Disclosure  
Statement By Applicant

(Use Several Sheets if Necessary)

Atty. Docket No.

IPVMAP01

Application No.:

10/822,218

Applicant

THOMAS et al.

Filing Date

April 12, 2004

Group

2681

Page 1 of 8

## U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	320,558	Jun-1885	Hull			
	2.	669,949	Mar.-1901	Underwood			
	3.	1,255,265	Feb.-1918	Zachara			
	4.	2,638,532	May-53	Brady			
	5.	2,904,670	Sept.-59	Calmes			
	6.	3,060,308	October-62	Fortuna			
	7.	3,597,054	August-71	Winter			
	8.	3,710,115	January-73	Jubb			
	9.	4,165,487	August-79	Corderman			
	10.	4,254,451	March-81	Cochran, Jr.			
	11.	4,283,127	August-81	Rosenwinkel et al.			
	12.	4,322,585	March-82	Liautaud			
	13.	4,348,664	Sept.-82	Boschetti et al.			
	14.	4,389,217	June-83	Baughman et al.			
	15.	4,526,473	July-85	Zahn, III			
	16.	4,608,492	August-86	Burnham			
	17.	4,683,587	July-87	Silverman			
	18.	4,751,691	June-88	Perera			
	19.	4,757,714	July-88	Purdy et al.			
	20.	4,773,095	Sept.-88	Zwicker et al.			
	21.	4,822,160	April-89	Tsai			
	22.	4,822,161	April-89	Jimmy			
	23.	4,942,629	July-90	Stadlmann			
	24.	4,985,632	January-91	Bianco et al.			
	25.	5,008,548	April-91	Gat			
	26.	5,020,150	May-91	Shannon			
	27.	5,036,311	July-91	Moran et al.			

Examiner

Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.

<b>Form 1449 (Modified)</b>  <b>Information Disclosure Statement By Applicant</b>  (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMAP01
	Application No.:	10/822,218
	Applicant	THOMAS et al.
	Filing Date	April 12, 2004
	Group	2681
		Page 2 of 8

U.S. Patent Documents							
Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	28.	5,093,576	March-92	Edmond et al.			
	29.	5,151,600	September-92	Black			
	30.	5,161,250	November-92	Ianna et al			
	31.	5,172,256	December-92	Sethofer et al.			
	32.	5,306,917	April-94	Black et al.			
	33.	5,353,378	October-94	Hoffman et al.			
	34.	5,359,370	October-94	Mugnier			
	35.	5,367,345	November-94	da Silva			
	36.	5,379,464	January-95	Schleger et al.			
	37.	5,382,986	January-95	Black et al.			
	38.	5,394,005	February-95	Brown et al.			
	39.	5,452,480	Sep. 1995	Ryden			
	40.	5,457,751	Oct. 1995	Such			
	41.	5,608,808	March-97	da Silva			
	42.	5,500,532	March-96	Kozicki			
	43.	5,513,384	April-96	Brennan et al.			
	44.	5,533,130	July-96	Staton			
	45.	5,581,090	December-96	Goudjil			
	46.	5,589,398	December-96	Krause et al.			
	47.	5,634,201	May-97	Mooring			
	48.	5,737,436	April-98	Boyden et al.			
	49.	5,900,720	May-99	Kallman et al.			
	50.	5,946,071	August-99	Feldman			
	51.	5,966,746	October-99	Reedy et al.			
	52.	5,980,037	November-99	Conway			
	53.	5,992,996	November-99	Sawyer			
	54.	6,013,919	January-00	Schneider et al.			
	55.	6,028,627	February-00	Helmsderfer			

Examiner	Date Considered
----------	-----------------

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>Form 1449 (Modified)</b>  <b>Information Disclosure Statement By Applicant</b>  (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMAP01
	Application No.:	10/822,218
	Applicant	THOMAS et al.
	Filing Date	April 12, 2004
	Group	2681
		Page 3 of 8

U.S. Patent Documents							
Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	56.	6,046,455	April-00	Ribi et al.			
	57.	6,060,321	May-00	Hovorka			
	58.	6,061,580	May-00	Altschul et al.			
	59.	6,091,546	July-00	Spitzer			
	60.	6,154,552	Nov.-00	Koroljow et al.			
	61.	6,236,969 B1	May-01	Ruppert et al.			
	62.	6,292,213 B1	Sept.-01	Jones			
	63.	6,301,367 B1	October-01	Boyden et al.			
	64.	6,307,526 B1	October-01	Mann			
	65.	6,343,858 B1	February-02	Zelman			
	66.	6,349,001 B1	February-02	Spitzer			
	67.	6,349,422 B1	February-02	Schleger et al.			
	68.	6,478,736 B1	Nov.-02	Mault			
	69.	6,506,142 B2	January-03	Itoh et al.			
	70.	6,513,532 B2	February-03	Mault et al.			
	71.	6,517,203 B1	February-03	Blum et al.			
	72.	6,539,336 B1	March-03	Vock et al.			
	73.	6,542,081 B2	April-03	Torch			
	74.	6,619,799 B1	Sept.-03	Blum et al.			
	75.	6,729,726 B2	May-04	Miller et al.			
	76.	6,764,194 B1	July-04	Cooper			
	77.	6,792,401 B1	Sept.-04	Nigro et al.			
	78.	6,929,365 B2	August-05	Swab et al.			
	79.	2001/0005230 A1	June-01	Ishikawa			
	80.	2002/0081982 A1	June-02	Schwartz et al.			
	81.	2002/0084990 A1	July-02	Peterson, III			
	82.	2002/0089639 A1	July-02	Starner et al.			

Examiner	Date Considered
----------	-----------------

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.

<b>Form 1449 (Modified)</b>  <b>Information Disclosure Statement By Applicant</b>  (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMAP01
	Application No.:	10/822,218
	Applicant	THOMAS et al.
	Filing Date	April 12, 2004
	Group	2681
		Page 4 of 8

U.S. Patent Documents							
Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	83.	2002/0090103 A1	July-02	Calisto, Jr.			
	84.	2002/0098877 A1	July-02	Glezerman			
	85.	2002/0109600 A1	August-02	Mault et al.			
	86.	2002/0197961 A1	December-02	Warren			
	87.	2003/0022690 A1	January-03	Beyda et al.			
	88.	2003/0032449 A1	February-03	Giobbi			
	89.	2003/0065257 A1	Apr. 3, 2003	Mault et al.			
	90.	2003/0067585 A1	April-03	Miller et al.			
	91.	2003/0068057 A1	April-03	Miller et al.			
	92.	2003/0226978 A1	December-03	Ribi et al.			
	93.	2004/0000733 A1	January-04	Swab et al			
	94.	2004/0063378 A1	Apr. 2004	Nelson			
	95.	2004/0150986 A1	August-05	Chang			
	96.	2004/0156012 A1	August-04	Jannard et al.			
	97.	2004/0157649 A1	August-04	Jannard et al.			
	98.	2004/0160571 A1	August-04	Jannard			
	99.	2004/0160572 A1	August-04	Jannard			
	100.	2005/0213026 A1	September-05	Da Pra', Silvio			
	101.	DES. 369,167	April-96	Hanson et al.			

Foreign Documents							
							Translation
Init.	No.	Document No.	Date	Country	Class	Subclass	Yes No
	102.	CN 88203065	Nov.-88	China			
	103.	CN 89214222.7	March-90	China			
	104.	EP 1134491 A2	Sept.-01	Europe			
	105.	FR 2530039 A1	January-84	France			
	106.	GB 1467982	March-77	Great Britain			
	107.	JP 02-181722	July-90	Japan			

Examiner	Date Considered
----------	-----------------

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



<b>Form 1449 (Modified)</b>  <b>Information Disclosure Statement By Applicant</b>  (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMAP01
	Application No.:	10/822,218
	Applicant	THOMAS et al.
	Filing Date	April 12, 2004
	Group	2681
		Page 6 of 8

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)		
A	"±1.5g Dual Axis Micromachined Accelerometer", Freescale Semiconductor, Inc., Motorola Semiconductor Technical Data, MMA6260Q, 2004, pp. 1-7.	
B	"APA Announces Shipment of the SunUV™ Personal UV Monitor", Press Release, November 7, 2003, pp. 1-3.	
C	"Camera Specs Take Candid Snaps", BBC News, 18 September 2003, pp. 1-3.	
D	"Cardo Wireless Attaching Clips and Wearing Headset", Cardo Systems, Inc., <a href="http://www.cardowireless.com/clips.php">http://www.cardowireless.com/clips.php</a> , downloaded November 27, 2004, pp. 1-3.	
E	"Environmental Health Criteria 14: Ultraviolet Radiation", International Programme on Chemical Safety, World Health Organization Geneva, 1979 <a href="http://www.ichem.org">http://www.ichem.org</a> , pp. 1-102.	
F	"Eyetop", Product-Features", eyetop eyewear, eyetop belt worn, <a href="http://www.eyetop.net/products/eyetop/features.asp">http://www.eyetop.net/products/eyetop/features.asp</a> , downloaded November 6, 2003, pp. 1-2.	
G	"Exclusive Media Event Marks Debut of OAKLEY THUMP: World's First Digital Audio Eyewear", Oakley Investor Relations, Press Release, November 15, 2004, pp.1-2.	
H	"Heart Rate Monitors", <a href="http://www.healthgoods.com">http://www.healthgoods.com</a> , downloaded December 4, 2004.	
I	"How is the UV Index Calculated", SunWise Program, U.S. Environmental Protection Agency, <a href="http://www.epa.gov/sunwise/uvcalc.html">http://www.epa.gov/sunwise/uvcalc.html</a> , downloaded October 14, 2004, pp. 1-2.	
J	"Industrial UV Measurements", APA Optics, Inc., <a href="http://www.apaoptics.com/uv/">http://www.apaoptics.com/uv/</a> , downloaded July 12, 2004, p.1.	
K	"Motorola and Oakley Introduce First Bluetooth Sunglasses-Cutting Edge RAZRWire Line Offers Consumers On-The-Go Connections", Motorola Mediacenter-Press Release, February 14, 2005, pp. 1-2.	
L	"Oakley Thump: Sunglasses Meet MP3 Player", with image, <a href="http://news.designtechnica.com/article4665.html">http://news.designtechnica.com/article4665.html</a> , July 13, 2004.	
M	"Personal UV monitor," Optics.org, <a href="http://optics.org/articles/news/6/6/7/1">http://optics.org/articles/news/6/6/7/1</a> (downloaded 12/20/03), June 9, 2000, pp. 1-2.	
N	"SafeSun Personal Ultraviolet Light Meter", <a href="http://healthchecksyste.ms.com/safesun.htm">http://healthchecksyste.ms.com/safesun.htm</a> , downloaded July 12, 2004, pp. 1-4.	
O	"SafeSun Personal UV Meter", Introduction, Optix Tech Inc., <a href="http://www.safesun.com">http://www.safesun.com</a> , downloaded February 5, 2004, pp. 1-2.	
P	"SafeSun Personal UV Meter, features, Optix Tech Inc., <a href="http://www.safesun.com/features.html">http://www.safesun.com/features.html</a> , downloaded May 1, 2004, pp. 1-2.	
Q	"Sharper Image - The FM Pedometer", e-Corporate Gifts.com, <a href="http://www.e-corporategifts.com/sr353.html">http://www.e-corporategifts.com/sr353.html</a> , downloaded January 22, 2005, pp. 1-2.	
R	"Sun UV™ Personal UV Monitor", APA Optics, Inc., <a href="http://www.apaoptics.com/sunuv/uvfacts.html">http://www.apaoptics.com/sunuv/uvfacts.html</a> , downloaded December 20, 2003, pp.1-3.	

Examiner	Date Considered
----------	-----------------

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



<b>Form 1449 (Modified)</b>  <b>Information Disclosure Statement By Applicant</b>  (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMAP01
	Application No.:	10/822,218
	Applicant	THOMAS et al.
	Filing Date	April 12, 2004
	Group	2681
		Page 7 of 8

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)		
S	"Ultraviolet Light and Sunglasses", Oberon's Frequently Asked Questions, <a href="http://www.oberoncompany.com/OBEnglish/FAQUV.html">http://www.oberoncompany.com/OBEnglish/FAQUV.html</a> , downloaded February 5, 2004, pp. 1-2.	
T	"Ultraviolet Light Sensor", Barrett & Associates Engineering, <a href="http://www.barrettengineering.com/project_uvs.htm">http://www.barrettengineering.com/project_uvs.htm</a> , downloaded February 5, 2004, pp. 1-3.	
U	"Ultraviolet Radiation (UVR)", Forum North, Ontario Ministry of Labour, <a href="http://www3.mb.sympatico.ca/~ericc/ULTRAVIOLET%20RADIATION.htm">http://www3.mb.sympatico.ca/~ericc/ULTRAVIOLET%20RADIATION.htm</a> , downloaded February 5, 2004, pp. 1-6.	
V	"What Are Gripples?", Gripping Eyewear, Inc., <a href="http://www.grippingeyewear.com/whatare.html">http://www.grippingeyewear.com/whatare.html</a> , downloaded November 2, 2005.	
W	Abrisa Product Information: Cold Mirrors, Abrisa, date unknown, p. 1.	
X	Abrisa Product Information: Commercial Hot Mirror, Abrisa, date unknown, p. 1.	
Y	Alps Spectable, Air Conduction Glass, Bone Conduction Glass, <a href="http://www.alps-inter.com/spec.htm">http://www.alps-inter.com/spec.htm</a> , downloaded December 10, 2003, pp. 1-2.	
Z	Altimeter and Compass Watches, <a href="http://store.yahoo.com/snowshack/altimeter-watches.html">http://store.yahoo.com/snowshack/altimeter-watches.html</a> , downloaded 5/3/04, pp. 1-2.	
AA	Bone Conduction Headgear HG16 Series, "Voiceducer," <a href="http://www.temco-j.co.jp/html/English/HG16.html">http://www.temco-j.co.jp/html/English/HG16.html</a> , downloaded December 10, 2003, pp. 1-3.	
AB	Carnoy, David, "The Ultimate MP3 Player for Athletes? Could be.", CNET Reviews, May 14, 2004, pp. 1-4.	
AC	Clifford, Michelle A., "Accelerometers Jump into the Consumer Goods Market", Sensors Online, <a href="http://www.sensorsmag.com">http://www.sensorsmag.com</a> , August 2004.	
AD	Cool Last Minute Gift Ideas!, UltimateFatBurner Reviews and Articles, <a href="http://www.ultimatefatburner.com/gift-ideas.html">http://www.ultimatefatburner.com/gift-ideas.html</a> , downloaded May 10, 2005, pp. 1-3.	
AE	Comfees.com, Adjustable Sports Band Style No. 1243, <a href="http://shop.store.yahoo.com/comfees/adsporbansty.html">http://shop.store.yahoo.com/comfees/adsporbansty.html</a> , downloaded April 18, 2003, pp. 1-2.	
AF	Dixen, Brian, "ear-catching", Supertesten, Mobil, date unknown, pp. 37-41.	
AG	Global Solar UV Index, A Practical Guide, World Health Organization, 2002, pages 1-28.	
AH	Grobart, Sam, "Digit-Sizing Your Computer Data", News Article, September, 2004, p. 1.	
AI	Life Monitor V1.1, Rhusoft Technologies Inc., <a href="http://www.rhusoft.com/lifemonitor/">http://www.rhusoft.com/lifemonitor/</a> , March 1, 2003, pp. 1-6.	
AJ	Manes, Stephen, "Xtreme Cam", Forbes Magazine, September 5, 2005, pg. 96.	
AK	Mio, PhysiCal, <a href="http://www.gophysical.com/">http://www.gophysical.com/</a> , downloaded January 27, 2004, 5 pages.	
AL	NIWA, "UV Index Information", <a href="http://www.niwa.cri.nz/services/uvozone/uvi-info">http://www.niwa.cri.nz/services/uvozone/uvi-info</a> , downloaded July, 15, 2004, pp. 1-2.	
AM	Pärkkä, Juha, et al., "A Wireless Wellness Monitor for Personal Weight Management", VTT Information Technology, Tampere, Finland, date unknown, p.1.	
AN	Pedometer, Model HJ-112, Omron Instruction Manual, Omron Healthcare, Inc., 2003, pp. 1-27.	

Examiner	Date Considered
----------	-----------------

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>Form 1449 (Modified)</b>  <b>Information Disclosure Statement By Applicant</b>  (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMAP01
	Application No.:	10/822,218
	Applicant	THOMAS et al.
	Filing Date	April 12, 2004
	Group	2681
		Page 8 of 8

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)		
AO	PNY Announces Executive Attaché USB 2.0 Flash Drive and Pen Series, Press Release, PNY Technologies, Las Vegas, January 8, 2004, pp. 1-2.	
AP	PNY Technologies, "Executive Attaché" <a href="http://www.pny.com/products/flash/execattache.asp">http://www.pny.com/products/flash/execattache.asp</a> downloaded November 16, 2005.	
AQ	Polar WM41 and 42 weight management monitor, <a href="http://www.simplysports/polar/weight_management/wm41-42.htm">http://www.simplysports/polar/weight_management/wm41-42.htm</a> , downloaded January 28, 2004, pp. 1-3.	
AR	Questions Answers, Pedometer.com, <a href="http://www.pedometer.com">http://www.pedometer.com</a> , downloaded May 5, 2005.	
AS	RazrWire, Motorola, 2005, 1 page.	
AT	SafeSun Personal UV Meter, Scientific Data, Optix Tech Inc., <a href="http://www.safesun.com/scientific.html">http://www.safesun.com/scientific.html</a> , downloaded May 1, 2003, pp. 1-3.	
AU	SafeSun Sensor, User's Manual, Optix Tech Inc., date unknown.	
AV	SafeSun, Personal UV Meter, "Technical Specifications", Optix Tech Inc., <a href="http://www.safesun.com/technical.html">http://www.safesun.com/technical.html</a> , downloaded July 12, 2004, pp. 1-2.	
AW	SafeSun, Personal UV Meter, Experiments, Optix Tech Inc., <a href="http://www.safesun.com/experiments.html">http://www.safesun.com/experiments.html</a> , downloaded February 5, 2004, pp. 1-2.	
AX	Shades of Fun, Blinking Light Glasses, <a href="http://www.shadesoffun.com/Nov/Novpgs-14.html">http://www.shadesoffun.com/Nov/Novpgs-14.html</a> , downloaded July 9, 2005, pp. 1-4.	
AY	SportLine Fitness Pedometer-Model 360, UltimateFatBurner Superstore, <a href="http://www.ultimatefatburner-store.com/ac_004.html">http://www.ultimatefatburner-store.com/ac_004.html</a> , downloaded May 10, 2005, pp. 1-2.	
AZ	Steele, Bonnie G. et al., "Bodies in motion: Monitoring daily activity and exercise with motion sensors in people with chronic pulmonary disease", VA Research & Development, Journal of Rehabilitation Research & Development, Vol. 40, No. 5, September/October 2003, Supplement 2, pages 45-58.	
BA	Stevens, Kathy, "Should I Use a Pedometer When I Walk?", Healtheon/WebMD, April 14, 2000.	
BB	Sundgot, Jørgen "2nd-gen Motorola Bluetooth headset", InfoSync World, March 1, 2003, <a href="http://www.infosync.no/news/2002/n/2841.html">http://www.infosync.no/news/2002/n/2841.html</a> , pp. 1-2.	
BC	SunSensors, Segan Industries, Inc., <a href="http://www.segan-ind.com/sunsensor.htm">http://www.segan-ind.com/sunsensor.htm</a> , downloaded February 5, 2004, pp. 1-3.	
BD	SunUV™, Personal UV Monitor, APA Optics, Inc., <a href="http://www.apaoptics.com/sunuv/models.html">http://www.apaoptics.com/sunuv/models.html</a> , downloaded December 20, 2003.	
BE	SunUV™, Personal UV Monitor User's Guide, APA Optics, Inc., 2003 pp. 1-52.	
BF	Talking Pedometer, Sportline, Inc., date unknown	
BG	Top Silicon PIN Photodiode, PD93-21C, Technical Data Sheet, Everlight Electronics Co., Ltd., 2004, pp 1-9.	
BH	UV Light Meter, UVA and UVB measurement, UV-340, Instruction Manual, Lutron, date unknown, pp. 1-5.	
BI	UV-Smart, UVA/B Monitor, Model EC-960-PW, Instruction Manual, Tanita Corporation of America, Inc., downloaded November 16, 2001.	
BJ	Vitaminder Personal Carb Counter with Convenient Key Chain, date unknown, pp. 1-4.	

Examiner	Date Considered
----------	-----------------

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.